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### **REMARKS**

Claims 1, 3-19 and 29 remain pending in this application. Claim 1 has been amended to include the limitations of now canceled Claim 2. Claims 2, 20-28 and 30 have been canceled. Claims 1 and 29 are the only remaining independent claims.

### **Claim Objections – Informalities**

The cancellation of Claims 27 and 30 render these objections moot.

### **Rejection under 35 U.S.C. 102(e)**

Claims 1, 8 and 9 have been rejected under 35 U.S.C. 102(e) as being anticipated by Parry (US 2003/0078963 A1). The amendment to Claim 1 to include the limitations of Claim 2, render this rejection moot.

Claims 20, 21, 26, 28, and 30 have been rejected under 35 U.S.C. 102(e) as being anticipated by Katz et al. (US 2003/0140114 A1). The cancellation of claims 20-28 and 30 render this rejection moot.

### **Rejection under 35 U.S.C. 103(a)**

Dependent Claim 2 and independent Claim 29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Parry in view of Katz.

Dependent Claims 3-7, 10-12, and 17 have been rejected as being unpatentable over Parry in view of de Jong (US 2004/0083391 A1). Dependent Claims 13-16 have been rejected as being unpatentable over Parry in view of Hendrick (US 6,792,464 B2). Dependent Claim 18 has been rejected as being unpatentable over Parry in view of Simpson et al. (US 2002/0184335 A1) and also over Parry in view of Katz. Dependent Claim 19 has been rejected as being unpatentable over Parry in view of Hendrick and further in view of Simpson. Dependent Claim 22 has been rejected as being unpatentable over Katz in view of de Jong. Dependent Claim 23 has been rejected as being unpatentable over Katz in view of Parry. Dependent Claims 24 and 25 have been rejected as being unpatentable over Katz in view of Hendrick. Dependent Claim 27 has been rejected as being unpatentable over Katz in view of Seago (US 2004/0054923 A1).

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Again, Claim 1 has been amended herein to include the limitations of dependent Claim 2, and therefore the rejection of Claim 2 (based upon the alleged combined teachings of Parry and Katz) is now applicable to independent Claim 1 as amended herein. In light of the following discussion, Applicant respectfully traverses this rejection and request reconsideration.

Independent Claim 1, as amended herein (to include the limitations of Claim 2), is directed to a method of storing and accessing a copy of digital content located on a physical medium in possession of a user on a server for subsequent access thereon by the user, the method comprising the steps of (a) establishing a communication link with the server, (b) providing to the server over the communication link a request to store a copy of the digital content on the server, (c) providing to the server over the communication link a user ID, (d) uploading the digital content from the physical medium to the server over the communication link, (e) subsequent to the step of uploading the digital content, providing a request to the server to receive the digital content from the server, (f) subsequent to or simultaneous with the step of providing the request to receive the digital content, providing to the server the user ID, (g) receiving the digital content from the server only after performing step (f) and (h) compressing the digital content prior to performing the step of uploading the digital content.

Independent Claim 29 is directed to a method of storing and downloading a compressed copy of digital content to a subscriber in possession of a physical medium on which an uncompressed copy of the digital content is located, the method comprising the steps of (a) receiving a request to store a copy of digital content from the subscriber over a communication link, (b) receiving over the communication link a subscriber ID, (c) receiving over the communication link a compressed copy of the digital content from the physical medium in the possession of the subscriber, (d) subsequent to the step of receiving the compressed copy of the digital content, receiving a request to download the digital content to the subscriber, (e) subsequent to or simultaneous with the step of receiving the request to receive the digital content, receiving the subscriber ID, and (f) providing the compressed copy of the digital content to the subscriber over the communication link.

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The Action takes the position that (as to Claim 2 - see pg 10 of Action) "Parry discloses the claimed method, except wherein executing the step of compressing the digital content prior to performing the step of uploading the digital content". The Action then turns to the alleged teachings of Katz, stating that "Katz show and disclose a method wherein executing the step of compressing the digital content prior to performing the step of uploading the digital content (Fig. 2 that shows Authoring system 280 uploading compressed digital information files 262 to the library server 260; paragraph 0030, lines 1-6 disclose the same details)". The Action then concludes that it would be obvious "to compress the digital content prior to uploading it, as taught by Katz, in the method of Parry, so as to be able to store digital content more efficiently, since a compressed digital content file occupies a small fraction of the disc storage than an uncompressed file".

Applicants respectfully traverse the proposed combination of teachings as obvious. Specifically, Katz is directed to a digital information library system - that is connected to a client site 210 by a distribution network 240. The library server of Katz includes an "authoring system 280" that is used to "*edit, index, compress, scramble, segment, and catalog digital information content* into digital information programs in digital information files, which are stored on mass storage media 241 or on library server 260 as scrambled and compressed digital information files 262" (para. [0030] lines 1-6). Katz explains that "after digital information compressor 314 has compressed the raw digital information using a selected compression method suitable for the category of digital information, the scrambler 318 scrambles the digital information...to prevent an unauthorized consumer from using the digital information" (para. [0034], lines 1-6). The scrambled digital information content is then partitioned into blocks 'for efficient storage..and for efficient navigation' (para. [0035]).

Applicant submits that it would not be obvious to one of ordinary skill in the art to "compress digital content prior to uploading it, as taught by Katz, in the method of Parry, so as to be able to store digital content more efficiently" (see first para. of pg. 11 of Action). The "authoring system" 280 of Katz fails to teach or even suggest that digital content, located on a physical medium in possession of a user, is compressed prior to being uploaded to a server.

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For at least the above reason, Applicant submits that the combined teachings of Parry and Katz fail to render each of independent Claims 1 and 29 obvious. Reconsideration and withdrawal of each of the rejections under 35 U.S.C. 103 is therefore respectfully requested.

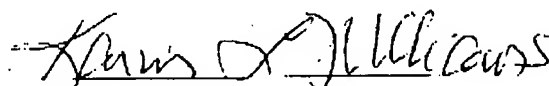
The dependent claims are believed patentable over the art of record as well, for depending from one or the other of patentable independent Claims 1 or 29, and for reciting additional distinguishing limitations. For example, Claim 18 recites that the "step of receiving digital content comprises the step of *receiving only a segment of the digital content* and further comprising the step of *providing to the server the user ID in order to receive a subsequent segment of the digital content*". The Office Action (page 21) relies upon the alleged teachings of Katz, and specifically directs Applicant to Fig. 2, blocks 222 and 218, para's 0035, 0041, 0037, and concludes that it would have been obvious "to receive only a segment of the digital content and provide to the server the user ID in order to receive a subsequent segment". However, neither Parry nor Katz provide *any teaching of providing a user ID to receive subsequent segments*. Should this rejection be maintained, further clarification as to such teachings is respectfully requested.

### CONCLUSION

In view of the above, Applicant submits that all pending claims are in condition for allowance. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

All fees due and owing in respect to this Amendment may be charged to deposit account number 50-1047.

Respectfully submitted,

  
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